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IPR2025-00167, Paper 58
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IPR2025-00381, Paper 46
PGR2025-00016, Paper 48
Date: April 17, 2026

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KUBOTA NORTH AMERICA CORPORATION,
Petitioner,

v.

VERMEER MANUFACTURING COMPANY,
Patent Owner.

IPR2025-00167 to -00169 (Patent 9,321,386 B1)
IPR2025-00170 (Patent 9,975,750 B2)
IPR2025-00171 (Patent 10,202,266 B2)
IPR2025-00381 (Patent 11,465,891 B2)
PGR2025-00016 (Patent 12,098,063 B2)¹

Before MEREDITH C. PETRAVICK, ANNETTE R. REIMERS, and
ERIC C. JESCHKE, *Administrative Patent Judges*.

JESCHKE, *Administrative Patent Judge*.

ORDER
Granting Petitioner's Motion to Seal
Granting Patent Owner's Motion to Seal
37 C.F.R. §§ 42.14, 42.54

¹ This Order addresses issues that are the same in each of the above-listed proceedings. The parties may not use this caption unless authorized.

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I. BACKGROUND

Petitioner, Kubota North America Corporation, and Patent Owner, Vermeer Manufacturing Company, each timely filed oral argument demonstratives—both confidential and redacted versions. *See* Ex. 1063 (Petitioner’s confidential demonstratives); Ex. 1064 (Petitioner’s redacted demonstratives); Ex. 2048 (Patent Owner’s confidential demonstratives); Ex. 2048 (Patent Owner’s redacted demonstratives).²

With the filings of the demonstratives, Petitioner filed a Motion to Seal (Paper 54, “Pet. Mot.”) and Patent Owner filed a Motion to Seal (Paper 55, “PO Mot.”). Neither Petitioner nor Patent Owner opposes the motion filed by the other party. *See* 37 C.F.R. § 42.25(a)(1) (setting one month as the default time limit for opposing a motion).³ For the reasons below, we *grant* Petitioner’s Motion to Seal and we *grant* Patent Owner’s Motion to Seal.

II. DISCUSSION

In an *inter partes* review, the moving party bears the burden of showing that the relief requested should be granted. 37 C.F.R. § 42.20(c). A party moving to seal must show “good cause” for the relief requested. 37 C.F.R. § 42.54(a). The “good cause” standard for granting a motion to seal reflects the strong public policy for making all information in an *inter partes* review open to the public. *See Argentum Pharms. LLC v. Alcon*

² Similar papers were filed in each proceeding. We cite to papers in IPR2025-00167 only.

³ We issue this Order after the one-month deadline to file oppositions to the pending Motions.

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Research, Ltd., IPR2017-01053, Paper 27 at 3 (PTAB Jan. 19, 2018)

(informative). When assessing if the good cause standard has been met, we may consider whether (1) the information at issue is confidential, (2) harm would result upon public disclosure, (3) there exists a genuine need to rely in the trial on the specific information sought to be sealed, and (4) the interest in maintaining confidentiality as to the information outweighs the strong public interest in an open record. *Id.* at 4.

A. Background

Exhibit 2027 in each proceeding is an internal 131-page document, originally produced by Petitioner, which relates to Petitioner's product development. Patent Owner filed Exhibit 2027 as "Parties and Board" only, with no redacted public version. In an earlier Order, we concluded that good cause existed to retain under seal the confidential version of Exhibit 2027. *See* Paper 29 at 3–4. Both pending Motions to Seal relate to material from Exhibit 2027.

B. Petitioner's Motion to Seal

As noted above, Petitioner filed in each proceeding a confidential version (Ex. 1063) and a redacted, public version (Ex. 1064) of its oral hearing demonstratives. In the pending Motion, Petitioner states that page 49 of the demonstratives "contains a portion of confidential information obtained directly from Exhibit 2027." Pet. Mot. 2; *see* Ex. 1063 at 49 (citing Ex. 2027 at 24) (discussing dealer surveys). Petitioner then addresses why good cause exists to seal this information. *See id.* at 3–7.

Given the subject matter of the information redacted in the public versions of Petitioner's demonstratives, and in view of the lack of objection

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from Patent Owner, we determine that the redacted information is truly confidential, that at least one party would be harmed by not sealing the information, that at least one party has a need to rely on this information at trial, and that the interest in maintaining the information as confidential outweighs the public interest in having the information unsealed.

Accordingly, we conclude that good cause exists to retain the redacted portions of Petitioner's demonstratives, as well as the confidential versions of those demonstratives, under seal.

C. Patent Owner's Motion to Seal

Patent Owner filed in each proceeding a confidential version and a redacted, public version of its oral hearing demonstratives (both Exhibit 2048). Pages 57 and 58 of Patent Owner's demonstratives contain product development information from pages 48 and 13 (respectively) of Exhibit 2027. *See* Ex. 2048 at 57–58. In the pending Motion, Patent Owner states that the two slides of the demonstratives “reference” Exhibit 2027. PO Mot. 2. Patent Owner then argues that good cause exists to seal this information. *See id.* at 3–4.

Given the subject matter of the information redacted in the public versions of Patent Owner's demonstratives, and in view of the lack of objection from Petitioner, we determine that the redacted information is truly confidential, that at least one party would be harmed by not sealing the information, that at least one party has a need to rely on this information at trial, and that the interest in maintaining the information as confidential outweighs the public interest in having the information unsealed.

Accordingly, we conclude that good cause exists to retain the redacted

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portions of Patent Owner's demonstratives, as well as the confidential versions of those demonstratives, under seal.

III. CONCLUSION

For the reasons above, we *grant* Petitioner's Motion to Seal and we *grant* Patent Owner's Motion to Seal. We remind the parties of the public's interest in maintaining a complete and understandable file history and of the general expectation that information will be made public when a final written decision indicates that the information exists. *See* PTAB Online Trial Practice Guide § I.E, *available at* <https://www.uspto.gov/patents/ptab/trial-practice-guide>. We also note that confidential information subject to a protective order ordinarily becomes public 45 days after final judgment in a trial. *See id.* § I.E.6. After final judgment, a party may file a motion to expunge confidential information from the record prior to the information becoming public.⁴ *See id.* (citing 37 C.F.R. § 42.56).

It is hereby:

ORDERED that Petitioner's Motion to Seal in each proceeding is *granted*;

FURTHER ORDERED that Patent Owner's Motion to Seal in each proceeding is *granted*;

⁴ The confidential documents filed in these proceedings will remain under seal at least until the time for filing a notice of appeal has expired or, if an appeal is taken, the appeal process has concluded. The records for these proceedings will be preserved in their entirety, and the confidential documents will not be expunged or made public, during any appeal.

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FURTHER ORDERED that the redacted portions of Exhibit 1064 and the redactions in the public version of Exhibit 2048 in each proceeding are *maintained* under seal; and

FURTHER ORDERED that Exhibit 1063 and the confidential version of Exhibit 2048 in each proceeding are *maintained* under seal.

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